

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

GARY DEWITT ODOM §
VS. § CIVIL ACTION NO. 1:21cv557
WARDEN, FCI BEAUMONT LOW §

MEMORANDUM ORDER OVERRULING PETITIONER'S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Petitioner Gary Dewitt Odom, an inmate confined at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting the Respondent's Motion to Dismiss.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. Petitioner filed objections to the Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, the court concludes petitioner's objections should be overruled. For the reasons set forth in the Report, Petitioner has failed to show the violation of a constitutional right. Therefore, Petitioner has failed to state a claim upon which habeas relief may be granted.

O R D E R

Accordingly, petitioner's objections are OVERRULED. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is ADOPTED. It is therefore

ORDERED that the Respondent's Motion to Dismiss is GRANTED. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED this 6th day of September, 2022.

Michael J. Truncale

Michael J. Truncale
United States District Judge